

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (DAYTON)**

UNITED STATES OF AMERICA	: CASE NO. 3:09CR078
Plaintiff,	: Judge Thomas M. Rose
v.	:
LEON AARON MORRIS	:
Defendant	: ENTRY AND ORDER
	:

**ENTRY AND ORDER DENYING DEFENDANT’S REQUEST FOR SENTENCING
MODIFICATION (DOC. #36)**

This matter comes before the Court pursuant to Defendant’s Request for Sentencing Modification (Doc. #36) filed December 4, 2012. Said request is basically a refiling of the Defendant’s Motion to Reduce Sentence (Doc. #28) filed on October 6, 2011 and supplemented November 3, 2011 and January 3, 2012.

The Court in an Order (Doc. #35) filed January 13, 2012 denied said Motion due to the finding that Defendant, at the time of sentencing, was determined to be a career offender, pursuant to United States Sentencing Guidelines §4B1.1. Further the Court determined that career offender guideline was utilized to determine Defendant’s base offense level.

Pursuant to those findings the Court finds the 108 month sentence imposed is proper, reasonable and appropriate. Defendant's request is denied.

January 23, 2013

Thomas M. Rose

JUDGE THOMAS M. ROSE